

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

SUBJECT PARCELS bearing confirmation numbers:
EJ545568890US, EJ545568886US, EJ545568909US,
EJ545568912US, and EJ545568926US,
more fully described in Attachment A

Case No. MJ21-196

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated by reference.

located in the _____ Western _____ District of _____ Washington _____, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

21 U.S.C. § 841
21 U.S.C. § 843

Offense Description

Distribution of Controlled Substances & Unlawful Use of Communication Facility,
(U.S. Mails) to Distribute Controlled Substances.

The application is based on these facts:

- ☒ See Affidavit of Postal Inspector, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.



Applicant's signature

Michael D. Harrold, US Postal Inspector

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 04/06/2021



Judge's signature

City and state: Seattle, Washington

Mary Alice Theiler, United States Magistrate Judge

Printed name and title

1 **STATE OF WASHINGTON**)
 2) **ss**
 3 **COUNTY OF KING**)

4 **AFFIDAVIT**

5 I, Michael D. Harrold, being first duly sworn on oath, depose and say:

6 **BACKGROUND**

7 1. **Affiant Background.** I am a United States Postal Inspector, assigned to
 8 investigate the unlawful transportation of contraband, including Title 21 controlled
 9 substances, through the United States mail. I have been a Postal Inspector since
 10 December, 2018, and am currently assigned to the Seattle Division Headquarters office,
 11 located in Seattle, Washington. As part of my duties, I investigate incidents where the
 12 U.S. mail system is used for the purpose of transporting illegal materials, including
 13 controlled substances such as marijuana, cocaine, methamphetamine and heroin, in
 14 violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and substances
 15 mailed in violation of Title 18, United States Code, Section 1716 (injurious articles). I
 16 completed the Criminal Investigator Training Program (CITP) at the Federal Law
 17 Enforcement Training Center (FLETC) and the Naval Criminal Investigative Service
 18 (NCIS). From 2011 to 2018, I was employed as a Special Agent with NCIS. From 2001
 19 to 2011, I was a Trooper with the Georgia State Patrol (GSP), completing Trooper School
 20 at the Georgia Public Safety Training Center (GPSTC). I was a Police Officer with the
 21 Marietta, GA Police Department from 1999 to 2001, completing basic mandate training
 22 at the Northwest Georgia Law Enforcement Academy. I have received specialized
 23 training in the investigation of controlled substances in the U.S. mails. I have also
 24 received training on the identification of controlled substances and interdiction of
 25 controlled substances.

26 2. **Duties, Training & Experience.** As part of my duties, I investigate the
 27 use of the U.S. mails to illegally mail and receive controlled substances, the proceeds of
 28 drug trafficking, as well as other instrumentalities associated with drug trafficking, in

1 violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession
2 with intent to distribute controlled substances), and 843(b) (unlawful use of a
3 communication facility, including the U.S. mails, to facilitate the distribution of
4 controlled substances and proceeds from the sale thereof). As set forth below, my
5 training and experience includes identifying parcels with characteristics indicative of
6 criminal activity. During the course of my employment as a law enforcement officer, I
7 have participated in many criminal investigations involving suspicious parcels and
8 controlled substances.

9 3. The information contained in this affidavit is based upon knowledge I
10 gained from my investigation, my personal observations, my training and experience, and
11 investigation by other Inspectors, agents, and officers. Because the purpose of this
12 affidavit is limited to setting forth probable cause to search the SUBJECT PARCEL
13 described below, I have not set forth every fact of which I am aware pertaining to the
14 investigation.

15 4. Through my training and experience, I am aware that the United States
16 Postal Service (USPS) mail system is often used to transport controlled substances and/or
17 the proceeds from the sales of controlled substances throughout the United States. I have
18 learned and observed that sometimes drug traffickers put controlled substances and
19 proceeds in the same parcel. I also know that drug traffickers prefer mail/delivery
20 services such as Express and Priority Mail because of the reliability of these services, as
21 well as the ability to track the article's progress to the intended delivery point. When a
22 drug trafficker learns that a mailed article has not arrived as scheduled, he/she becomes
23 suspicious of any delayed attempt to deliver the item.

24 5. In addition, I am aware that the USPS Express and Priority Mail services
25 were custom-designed to fit the needs of businesses by providing overnight delivery for
26 time sensitive materials. Business mailings often contain typewritten labels, are in flat
27 cardboard mailers, and usually weigh less than eight (8) ounces. In addition, businesses
28

1 using corporate charge accounts print their account number on the Express and Priority
2 Mail label in order to expedite transactions with USPS.

3 6. Based on my training and experience concerning the use of Express and
4 Priority Mail for the transportation of controlled substances and/or proceeds from the
5 sales of controlled substances, I am aware that these parcels usually contain some or all
6 of the following characteristics (which are different than characteristics of parcels being
7 sent by legitimate businesses):

- 8 a. Unlike typical Express and Priority Mail business mailings which
9 usually have typed labels, parcels containing controlled substances
10 and/or proceeds often have handwritten address information. In
11 addition, the address information often contains misspelled words or
12 incomplete/incorrect addresses. This is done in an effort to help
13 conceal the true identities of the individuals involved.
- 14 b. The handwritten label on Express and Priority Mail parcels
15 containing controlled substances and/or proceeds do not contain a
16 business account number and/or credit card number. This often
17 indicates that the sender likely paid cash. A credit card or business
18 account number would more likely enable law enforcement officers
19 to connect the parcel to identifiable individuals.
- 20 c. Express and Priority Mail parcels containing controlled substances
21 and/or proceeds are often distinguishable from typical business
22 mailings as they do not bear any advertising on the mailing
23 container/box, and are typically mailed from one individual to
24 another.
- 25 d. The sender and/or recipient addresses on Express and Priority Mail
26 parcels containing controlled substances and/or proceeds are often
27 either fictitious, or are persons not associated with the addresses
28 listed in USPS or law enforcement databases.
- e. The zip codes for the sender addresses on Express and Priority Mail
parcels containing controlled substances and/or proceeds are often
different from the zip codes of the post offices from where the
parcels were mailed.

1 f. Express and Priority Mail parcels containing controlled substances
2 and/or proceeds are often heavily taped with tape on the seams of the
3 parcel, in an apparent effort to conceal scent.

4 g. Express and Priority Mail parcels containing controlled substances
5 and/or proceeds often include a waiver of signature requirement
6 upon delivery.

7 7. Inspectors who encounter a parcel with any or all of the above
8 characteristics often further scrutinize the parcel by, among other tactics, conducting
9 address verifications using law enforcement databases and conducting trained narcotic-
10 detecting canine examinations.

11 **ITEM TO BE SEARCHED**

12 8. As set forth in Attachment A, this affidavit is made in support of an
13 application for a search warrant for five USPS Express Mail parcels, hereinafter referred
14 to as the "SUBJECT PARCELS." These parcels are believed to contain controlled
15 substances or proceeds from the sale of controlled substances. The SUBJECT PARCELS
16 are further described as follows:

17 **SUBJECT PARCEL 1**

18 9. One USPS Express Mail parcel addressed to "7416 Harrison Ave Apt 2
19 Cincinnati, OH 45231" with a return address of "1928 S L St Tacoma, WA 98405." This
20 parcel measures approximately 12.5" X 9.5" X .5" with a weight of approximately 0
21 pounds, 5 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and
22 carries \$26.35 in postage. The delivery confirmation number is EJ545568890US. The
23 parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700
24 27th Ave. S., Seattle, Washington.

25 **SUBJECT PARCEL 2**

26 10. One USPS Express Mail parcel addressed to "7416 Harrison Ave Apt 2
27 Cincinnati, OH 45231" with a return address of "1928 S L St Tacoma, WA 98405." This
28 parcel measures approximately 12" X 14.125" X 3.5" with a weight of approximately 4
pounds, 10 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and

1 carries \$74.85 in postage. The delivery confirmation number is EJ545568886US. The
 2 parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700
 3 27th Ave. S., Seattle, Washington.

4 **SUBJECT PARCEL 3**

5 11. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2
 6 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This
 7 parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 4
 8 pounds, 10 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and
 9 carries \$74.85 in postage. The delivery confirmation number is EJ545568909US. The
 10 parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700
 11 27th Ave. S., Seattle, Washington.

12 **SUBJECT PARCEL 4**

13 12. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2
 14 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This
 15 parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 5
 16 pounds, 4 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and
 17 carries \$81.95 in postage. The delivery confirmation number is EJ545568912US. The
 18 parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700
 19 27th Ave. S., Seattle, Washington.

20 **SUBJECT PARCEL 5**

21 13. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2
 22 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This
 23 parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 4
 24 pounds, 10 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and
 25 carries \$81.95 in postage. The delivery confirmation number is EJ545568926US. The
 26 parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700
 27 27th Ave. S., Seattle, Washington.

ITEMS TO BE SEIZED

14. The application requests that law enforcement officers and agents be authorized to seize the following from the SUBJECT PARCELS, which constitute the fruits, instrumentalities, and evidence of mailing and distribution of controlled substances in violation of Title 21, United States Code, Sections 841(a)(1) (distribution and possession with intent to distribute controlled substances) and 843(b) (unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances):

- a. Controlled substances, including, but not limited to, cocaine, crack cocaine, fentanyl, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;
- b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;
- c. Controlled substance-related paraphernalia;
- d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;
- e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and
- f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.

THE INVESTIGATION

15. On March 29, 2021, the USPS referred several parcels to the U.S. Postal Inspection Service for further investigation.

16. The SUBJECT PARCELS were identified as suspicious due to the smell of processed marijuana being detected from several of the boxes. All SUBJECT PARCELS had handwritten labels. SUBJECT PARCELS 2 through 5 were heavily taped. The SUBJECT PARCELS were paid for with a pre-paid debit card. I know through my

1 training and experience that these are tactics commonly used by drug traffickers using the
2 U.S. mails in an attempt to elude detection by law enforcement.

3 17. Using USPS and law enforcement databases, I researched the address listed
4 on the SUBJECT PARCELS. I learned that the address "1928 S L St Tacoma, WA
5 98405" is a true and deliverable address. The residence is a duplex and has multiple units
6 receiving delivery. A unit number was not listed on the address. The SUBJECT
7 PARCELS also did not list a name or phone number for the sender.

8 18. Using USPS and law enforcement databases, I researched the recipient
9 name and address listed on the SUBJECT PARCELS. I learned that the address "7416
10 Harrison Ave Apt 2 Cincinnati, OH 45231" is a true and deliverable address. The
11 SUBJECT PARCELS did not list a name or phone number for the recipient.

12 19. Based upon this information, on April 2, 2021, at approximately 3:30 PM,
13 Inspectors requested the assistance of Officer Kristina Johnson and her canine partner
14 "Remi." Officer Johnson and "Remi" cleared a large warehouse and determined it to be
15 clear of the scent of narcotics. The SUBJECT PARCELS were hidden inside the large
16 warehouse, outside of the view of Officer Johnson and "Remi". Officer Johnson
17 systematically applied "Remi" starting with the periphery of the warehouse. Upon
18 approaching the SUBJECT PARCELS, K-9 "Remi" stopped and took several deep
19 breaths and sat. When "Remi" sits, it's an indication she could smell the positive odor of
20 narcotics coming from the parcel. K-9 "Remi" alerted separately to each of the SUBJECT
21 PARCELS. K-9 Officer Johnson's affidavit describing Remi's training and qualifications
22 is attached to this affidavit and incorporated herein by reference.

23 CONCLUSION

24 20. Based on the facts set forth in this Affidavit, as well as the attached
25 affidavit (incorporated herein by reference) of Officer Johnson, I believe there is probable
26 cause to conclude that the SUBJECT PARCELS contains controlled substances,
27 currency, documents, or other evidence, more fully identified in Attachment B, that
28 relates to the mailing and distribution of controlled substances, in violation of Title 21,

1 United States Code, Sections 841(a)(1) (distribution and possession with intent to
2 distribute controlled substances) and 843(b) (unlawful use of a communication facility,
3 including the U.S. mails, to facilitate the distribution of controlled substances).

4 

5
6 MICHAEL D. HARROLD
7 U.S. Postal Inspector, US Postal Inspection Service
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9 The above-named agent provided a sworn statement attesting to the truth of the
10 contents of the foregoing affidavit by telephone on the 6th day of April 2021.

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12 MARY ALICE THEILER
13 United States Magistrate Judge
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ATTACHMENT A
Parcel to be searched

SUBJECT PARCEL 1

1. One USPS Express Mail parcel addressed to “EJ545568890US” with a return address of “1928 S L St Tacoma, WA 98405.” This parcel measures approximately 12.5” X 9.5” X .5” with a weight of approximately 0 pounds, 5 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and carries \$26.35 in postage. The delivery confirmation number is EJ545568890US. The parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700 27th Ave. S., Seattle, Washington.

SUBJECT PARCEL 2

2. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 4 pounds, 10 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and carries \$74.85 in postage. The delivery confirmation number is EJ545568886US. The parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700 27th Ave. S., Seattle, Washington.

SUBJECT PARCEL 3

3. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 4 pounds, 10 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and carries \$74.85 in postage. The delivery confirmation number is EJ545568909US. The parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700 27th Ave. S., Seattle, Washington.

SUBJECT PARCEL 4

4. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 5 pounds, 4 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and carries \$81.95 in postage. The delivery confirmation number is EJ545568912US. The parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700 27th Ave. S., Seattle, Washington.

SUBJECT PARCEL 5

5. One USPS Express Mail parcel addressed to “7416 Harrison Ave Apt 2 Cincinnati, OH 45231” with a return address of “1928 S L St Tacoma, WA 98405.” This parcel measures approximately 12” X 14.125” X 3.5” with a weight of approximately 4 pounds, 10 ounces. This parcel is postmarked March 29, 2021, from zip code 98466 and carries \$81.95 in postage. The delivery confirmation number is EJ545568926US. The parcel is currently located at the USPS Seattle Processing and Distribution Center, 10700 27th Ave. S., Seattle, Washington.

ATTACHMENT B
Items to be seized

The following items that constitute evidence, instrumentalities, or fruits of violations of Title 21, United States Code, Section(s) 841(a)(1), distribution and possession with intent to distribute controlled substances, and 843(b), unlawful use of a communication facility, including the U.S. mails, to facilitate the distribution of controlled substances:

a. Controlled substances, including, but not limited to, cocaine, crack cocaine, fentanyl, heroin, hashish, marijuana, methamphetamine, MDMA, methadone, oxycodone, and Oxycontin;

b. Monetary instruments, including but not limited to, currency, money orders, bank checks, or gift cards;

c. Controlled substance-related paraphernalia;

d. Documentary evidence relating to the purchase, sale, and/or distribution of controlled substances;

e. Notes, letters and other items which communicate information identifying the sender and/or recipient or pertaining to the contents of the mailing; and

f. Fingerprints and/or handwriting, to identify who handled and/or mailed the parcel.



**U.S. Customs and Border Protection
Department of Homeland Security**

Canine Enforcement Office
19339 28th Ave. S. Bldg. D
Sea-Tac, WA 98188

AFFIDAVIT

I, Kristina M. Johnson, am a Canine Officer with U.S. Customs and Border Protection, assigned to the Seattle-Tacoma area. My assigned canine, "REMI" (170178) was initially certified with me on April 18, 2018 after successfully completing U.S. Customs and Border Protection detection Re-Team training. Canine "REMI" was trained to detect the odors of concealed humans, Marijuana, Hashish, Cocaine, Heroin, Methamphetamine, Ecstasy Fentanyl and their derivatives. I and canine "REMI" maintain our annual certification through the Customs and Border Protection regulations. This certification is a comprehensive test designed to measure the ability of the dog and the handler in searching for and indicating the presence of controlled substances. This certification consists of searches administered in different environments with a variety of distractions and is designed to duplicate actual field conditions which may be encountered by the canine team. Canine "REMI" must pass 16 of the 17 controlled finds (15 active and 2 blinds) with equates to a 94% or greater accuracy.

I and canine "REMI" participate in maintenance training, which is no less than 16 hours per month. Ongoing training includes:

- Training in all areas of interdiction, such as vehicles, boats, schools, currency, parcels and mail, airports, bus and bus depots, storage units, residences, motels, apartments, etc.
- Training on various quantities of controlled substances, ranging from grams to pounds.
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present
- Conflict training, which proofs the dog and prevents her from alerting to common items associated with controlled substances, such as plastic bags, etc. and/or reward objects or toys

CBP maintains training records of the on-going training. All training records and certifications are constantly maintained and up to date and current. The dogs are given a rating at each training day that is maintained for 90 days.

The ratings for each training day are based on unsatisfactory, poor, fair, average, good or excellent performance. Canine "REMI" has maintained a rating of "Good" over the last 90 days. Canine "REMI" is trained with a passive response/indication (sit or lay down), with various objects (toys) being her reward. Canine "REMI" last certification was June 17, 2020.

On April 2, 2021, at approximately 3:30 PM, CBPO K-9 Johnson and K-9 REMI (170178) cleared a large warehouse and determined it to be clear of the scent of narcotics. The SUBJECT PARCELS were hidden inside the large warehouse, outside of the view of Officer Johnson and "Remi". Officer Johnson systematically applied "Remi" starting with the periphery of the warehouse. Upon approaching the suspect parcels, K-9 "Remi" stopped and took several deep breaths and sat. When "Remi" sits, it's an indication she could smell the positive odor of narcotics coming from the parcel. "REMI" alerted to the following suspect parcels:

SUBJECT PARCEL 1

Tracking #: EJ545568890US
Sender:
1928 S L St
Tacoma, WA 98405

Recipient: 7416 Harrison Ave Apt 2
Cincinnati, OH 45231

SUBJECT PARCEL 2

Tracking #: EJ545568886US
Sender:
1928 S L St
Tacoma, WA 98405

Recipient: 7416 Harrison Ave Apt 2
Cincinnati, OH 45231

SUBJECT PARCEL 3

Tracking #: EJ545568909US
Sender:
1928 S L St
Tacoma, WA 98405

Recipient: 7416 Harrison Ave Apt 2
Cincinnati, OH 45231

SUBJECT PARCEL 4

Tracking #: EJ545568912US
Sender:
1928 S L St
Tacoma, WA 98405

Recipient: 7416 Harrison Ave Apt 2
Cincinnati, OH 45231

SUBJECT PARCEL 5

Tracking #: EJ545568926US
Sender:
1928 S L St
Tacoma, WA 98405

Recipient: 7416 Harrison Ave Apt 2
Cincinnati, OH 45231

I have been a Canine Officer since October 2008.

I certify under penalty of perjury under the laws of the State of Washington that that the foregoing is true and correct to the best of my knowledge.

Signed  Date 02 April 2021

Kristina M. Johnson
Canine Enforcement Officer
U.S. Customs and Border Protection
Seattle, WA
(206) 396-1864 (cell)